

Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 HEW-04

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R 101305Z SEP 76

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 8296

INFO AMCONSUL BOMBAY

AMCONSUL CALCUTTA

AMCONSUL MADRAS

DHEW WASHDC

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E.O. 11652: N/A

TAGS: TBIO, IN

SUBJECT: MAHARASHTRA LEGISLATION ON COMPULSORY STERILIZATION

REF: STATE 223954

1. THE MAHARASHTRA COMPULSORY STERILIZATION LEGISLATION IS PRESENTLY BEING REVIEWED BY THE HOME MINISTRY. THE MINISTRY OF HEALTH AND FAMILY PLANNING HAS RETURNED THE BILL TO HOME MINISTRY INDICATING THAT THE STATE OF MAHARASHTRA HAS THE ADEQUATE HEALTH AND FAMILY PLANNING INFRASTRUCTURE TO BACKUP THE STERILIZATION PROGRAM IN THAT STATE, BUT WAS NOT ASKED TO MAKE ANY FURTHER RECOMMENDATION.

2. BECAUSE THIS IS THE FIRST PROPOSED LEGISLATION IN THE WORLD DEALING WITH COMPULSORY STERILIZATION IT IS NATURALLY EXTREMELY SENSITIVE SINCE THE INDIANS ARE ACUTELY CONSCIOUS OF OUTSIDE OPINION AND ALSO THIS BILL IS LIKELY TO SET THE TONE FOR OTHER STATES IN INDIA AS WELL AS THE NATIONAL GOVERNMENT AND PERHAPS OTHER COUNTRIES AS WELL. FOR THIS REASON, WE WERE TOLD BY MOHFP OFFICIAL, THE DECISION ON THIS

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BILL WILL BE A POLITICAL ONE MADE BY THE CABINET COMMITTEE.

THIS MAY TAKE SOME TIME SINCE WE UNDERSTAND THERE IS
SUBSTANTIAL OPPOSITION TO COMPULSORY STERILIZATION IN PARLIAMENT
AND THE PRIME MINISTER AND PRESIDENT HAVE MENTIONED SEVERAL TIMES
IN SPEECHES THEY ARE AGAINST COMPULSION AND COERSION IN THE
FAMILY PLANNING PROGRAM.

3. WE HAVE NO REAL EVIDENCE THAT THE RECENT STERILIZATION
RIOTS WILL DIM PROSPECTS FOR THE MAHARASHTRA LEGISLATION BEING
APPROVED. HOWEVER, IT LOOKS VERY MUCH LIKE THERE IS SOME
RELUCTANCE AT HIGH GOI LEVELS TO RUSH THIS BILL THROUGH
WITHOUT A GREAT DEAL MORE DISCUSSION AND PERHAPS WATERING DOWN,
PARTICULARLY OF THE SIX MONTHS TO TWO YEAR PRISON REQUIREMENT
FOR PERSONS NOT ADHERING TO THE CHILD LIMIT.
SAXBE

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